

MAY 28 2004


**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/616,453
		Filing Date	July 8, 2003
		First Named Inventor	Victor B. Kley
		Art Unit	2878
		Examiner Name	D. Monbleau
Total Number of Pages in This Submission		Attorney Docket Number	020921-001612US

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. USPTO form SB08A (one page), copies of two cited foreign patent references, and
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	2. Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual	Townsend and Townsend and Crew LLP David N. Sloane	
Signature		
Date	May 24, 2004	

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Roger Hylton		
Signature		Date	5/24/04



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

**VICTOR B. KLEY**

Application No.: 10/616,453

Filed: July 8, 2003

For: SCANNING PROBE  
MICROSCOPY INSPECTION AND  
MODIFICATION SYSTEM

Examiner: D. Monbleau

Art Unit: 2878

**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT UNDER  
37 CFR §1.97 and §1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This application is a continuation of 09/919,780, which application was filed July 31, 2001. Prior Information Disclosure Statements for the above-referenced application were filed on September 25, 2003, and February 25, 2004.

References 1 through 21 as listed on attached Form PTO/SB/SB/08A should be readily available to the Examiner; however, Applicant would be happy to supply copies upon request.

Copies of the PCT patent publications, References 22 and 23 as cited on the attached Form PTO/SB/08A, are enclosed.

It is respectfully requested that all of the cited references on attached Form PTO/SB/08A (1 through 23) be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement.

Respectfully submitted,



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Substitute for form 1449A/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>					
(use as many sheets as necessary)					
Sheet	1	of	1		
				Application Number	10/616,453
				Filing Date	July 8, 2003
				First Named Inventor	Victor B. Kley
				Art Unit	2878
				Examiner Name	D. Monbleau
				Attorney Docket Number	020921-001612US



<b>U.S. PATENT DOCUMENTS+</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	2003/0167831	09-11-2003	Kley	
	2	6,614,227	09-02-2003	Ookubo	
	3	6,515,277	02-04-2003	Kley	
	4	6,507,553	01-14-2003	Kley	
	5	2002/0135755	09-26-2002	Kley	
	6	2002/0117611	08-29-2002	Kley	
	7	6,396,054	05-28-2002	Kley	
	8	6,369,379	04-09-2002	Kley	
	9	6,339,217	01-15-2002	Kley	
	10	6,281,491	08-28-2001	Kley	
	11	2001/0010668	08-02-2001	Kley	
	12	6,242,734	06-05-2001	Kley	
	13	6,239,426	05-29-2001	Muramatsu et al.	
	14	6,232,597	05-15-2001	Kley	
	15	6,229,607	05-08-2001	Shirai et al.	
	16	6,201,226	03-13-2001	Shimada et al.	
	17	6,199,269	03-13-2001	Greco et al.	
	18	5,254,209	10-19-1993	Schmidt et al.	
	19	5,322,735	06-21-1994	Fridez et al.	
	20	5,289,004	02-22-1994	Okada et al.	
	21	4,793,201	12-27-1988	Kanai et al.	

<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	22	PCT PCT/US2003/ 028506	WO04/023490	A2	03-18-2004	General Nanotechnology		<input type="checkbox"/>
	23	PCT PCT/US02/ 38036	WO03/046473	A1	06-05-2003	General Nanotechnology		<input type="checkbox"/>

Examiner Signature	Date Considered
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<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup> Applicant's unique citation designation number (optional). <sup>3</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>4</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>5</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>6</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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